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UBER TECHNOLOGIES, INC.
17 and OTTOMOTTO LLC

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 WAYMO LLC,
22 Plaintiff,
23 v.
24 UBER TECHNOLOGIES, INC.,
25 OTTOMOTTO LLC; OTTO TRUCKING LLC,
26 Defendants.
27

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
THOMAS PARDINI IN SUPPORT OF
DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO, LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR
OPPOSITION TO WAYMO'S
REQUEST TO FILE MOTION
REGARDING SPOILIATION**

I, Thomas J. Pardini, declare as follows:

1. I am a member of the Bar of the State of California and an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendants' Administrative Motion to File Under Seal Their Opposition to Waymo's Request to File Motion Regarding Spoliation.

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Opposition to Waymo's Request to File Motion Regarding Spoliation ("Opposition")	Highlighted Portions	Plaintiff (Green highlight)
Exhibit 1	Highlighted Portions	Pursuant to agreement between counsel of Travis Kalanick and Plaintiff (yellow highlight) (see below)
Exhibit 3	Highlighted Portions	Plaintiff (green highlight)
Exhibit 4	Entire Document	Plaintiff
Exhibit 5	Entire Document	Plaintiff
Exhibit 11	Entire Document	Plaintiff
Exhibit 12	Highlighted Portions	Plaintiff (green highlight)

3. I understand that the yellow-highlighted portion of Exhibit 1 was agreed to be treated as confidential between counsel for Travis Kalanick and counsel for Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). This is reflected in a previous Administrative Motion to File Under Seal. *See* ECF No. 1153.

1 Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective
2 Order.

3 4. The green-highlighted portions of the Opposition and Exhibits 1, 3 and 12, as well
4 as the entireties of Exhibits 4, 5, and 11 contain information that has been designated “Highly
5 Confidential – Attorneys’ Eyes Only” or “Confidential” by Waymo in accordance with the Patent
6 Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have
7 agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material
8 under seal in accordance with Paragraph 14.4 of the Protective Order.

9 5. Defendants’ request to seal is narrowly tailored to the portions of the Opposition
10 and its supporting papers that merit sealing.

11 I declare under penalty of perjury that the foregoing is true and correct. Executed this
12 25th day of October, 2017 in San Francisco, California.

13
14 /s/ Thomas J. Pardini

Thomas J. Pardini

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16
17 **ATTESTATION OF E-FILED SIGNATURE**

18 I, Arturo J. González, am the ECF User whose ID and password are being used to file this
19 Declaration. In compliance with General Order 45, X.B., I hereby attest that Thomas J. Pardini
20 has concurred in this filing.

21 Dated: October 25, 2017

/s/ Arturo J. González

ARTURO J. GONZÁLEZ